



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 10/11/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.17383 of 2021

1.Sakthivel
2.Kalidoss
3.Anguraj

... Petitioners/Accused 1 to 3

Vs

The State rep.by,
The Inspector of Police,
Thillainagar Police Station,
Trichy City.
(Crime No.524 of 2021)

... Respondent/Complainant

For Petitioners : Mr.T.Lenin Kumar.
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-For Bail in Crime No.524 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who were arrested and remanded to judicial custody on 30.09.2021 for the offence punishable under Sections 387 and 506(ii) @ 392 IPC, in Crime No.524 of 2021, on the file respondent police, seeks bail.

2.The case of the prosecution is that the petitioners went to the defacto complainant's shop and threatened the staffs therein with dire consequences and took their mobile phones at knife point. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that they are raising serious objections to the petitioners being released on bail. He would further submit that the



petitioners went to the shop of the defacto complainant and threatened him and took three cell phones, having value of Rs.36,000/-.

5.Considering the facts and circumstances of the case and also the fact that the petitioners are in judicial custody from 30.09.2021, that the petitioners are not having any previous case with respect to property offence and that the property has already been recovered as stated by the learned Additional Public Prosecutor, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Trichy and on further conditions that;

i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

ii)the petitioners shall report before the respondent police daily at 10.30 a.m for a period of one month, thereafter, as and when required.

iii)the petitioners shall not tamper with evidence or witness.

iv)the petitioners shall not abscond during trial.

v)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

10/11/2021

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/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant



TO

1 THE JUDICIAL MAGISTRATE COURT NO.IV,
TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
THILLAINAGAR POLICE STATION, TRICHY.

4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.17383 of 2021
Date :10/11/2021

das
MK/VR/SAR.II/11.11.2021/3P/6C